

Madison County Family Court Project

Basic Information

Population: 131,417

County Seat: Anderson

Number of Judicial Officers: 6 Judges, 1 Magistrate, 5 Commissioners

Project Implementation: August 2010

Family Court Project Judges: Judge Pancol and Judge Happe

Family Court Personnel

Jim Hunter, Court Administrator: jhunter@madison.in.gov, 765-641-9502

Ashley Hopper, Family Court Coordinator: achopper@madison.in.gov, 765-608-9709

Family Court Funding

Family Court Grant - \$30,000 (2010)

Madison County is a pilot county this year and we are currently working on establishing our Family Court Project. We are also in the process of drafting our ADR Plan and once it is approved, it will provide an additional source of funding.

Family Court Mission Statement

The Madison County Family Court Project aims to assist those families that have become so heavily entangled in the legal system that they have lost sight of their families and their futures. We seek to more efficiently serve families with cases in multiple courts by coordinating services and sharing information to avoid duplicate and conflicting orders. In addition, we will utilize alternative dispute resolution mechanisms, when appropriate, to produce swift decisions in cases while allowing the families the opportunity to participate in the decision-making process. Lastly, the Family Court Project will implement a form of pro se programming to guide those individuals who represent themselves in family law cases. Project staff, courts and service providers will serve families with patience, understanding, and empathy because the goal of the Madison County Family Court Project is to help families reclaim their lives and work towards a brighter future.

Family Court Programming

Overview

The Madison County Family Court Project was implemented in 2010 and follows the information sharing model. Families with multiple cases and indications of specific “red flags” are eligible for the Family Court Project. One of the pending cases must be a child-related case. The Project will initially take up to twenty families as it is intended to help the ones that are the most entrenched in the legal system. The Family Court Project has decided not to adopt the Family Court Project Rules issued by the Indiana Supreme Court as this time. The Project will adhere to the local rules.

The Family Court Project has three primary purposes. First, the Project will track families with pending cases in multiple courts and share information with those courts in order to coordinate services and avoid duplicate and conflicting orders. It will also provide evaluations and recommend appropriate services for the family. Second, it will refer families for alternative dispute resolution when there are issues that can be resolved outside a courtroom. Third, the Family Court Project will develop a form of pro se programming to assist indigent and lower income litigants so they can better represent themselves in family law cases.

The Project began accepting families in October 2010 and is in the process of evaluating two families as potential candidates. We are working with attorneys and service providers to seek out families who could be helped by being a part of the Project.

In order to be eligible for the Family Court Project, families must:

1. Have two or more pending cases.
 - a. One of those pending cases must be a child-related or family-related case, i.e., CHINS, Delinquency, Custody, Paternity, Guardianship, Truancy, Child Support, etc...
2. **AND** One of the Following:
 - a. Substance Abuse (Adult/Child)
 - b. Low Income/Pro Se Families
 - c. Parental/Familial Conflict
 - d. Single Parent
 - e. Domestic Violence
 - f. Juvenile Detention and/or Delinquency
 - g. Child Neglect
 - h. Child Out-of-Home Placement
 - i. Child Abuse
 - j. Educational Issues
 - k. Mental Health Concerns
 - l. Adult Probation/Jail
 - m. Housing Issues
 - n. Child Behavior Issues

The Project has developed a step-by-step framework by which a family will work its way through the Family Court Project.

1. Cases are referred to the Project by judges based on the evaluation criteria. Agencies, attorneys, pro se parties, and the Family Court Coordinator may request for the court to refer a case by filing a *Motion for Referral to Family Court Project*, but there must be a judicial referral.
2. When the Family Court Coordinator receives the referral, a *Notice of Receipt of Family Court Referral* will be filed with the referring court.

3. The Family Court Coordinator conducts an in-take interview with the family in order to get background information and inquire as to other pending cases. Following the interview, the coordinator will research the other pending cases, what potential service providers might be beneficial for the family, and whether ADR is an option.
4. The coordinator will review the information, evaluate the application, and make contact with the service providers.
5. A notice will be filed with the referring court indicating acceptance/decline into the Project. If the family is accepted, this notice is filed in every court with a pending case involving a family member.
6. If a family is accepted, then they are referred to service providers and a case management report is drafted. The case management report will be distributed to the judges of every pending case involving a member of the family that the Project is tracking.

Case Management and Information Sharing (Case Tracking)

The first component of the Family Court Project is to develop a case tracking system in order to share information for the purposes of coordinating services and avoiding duplicate and conflicting orders from the multiple courts involved with the family.

The courts with cases involving the family will be notified as soon as the family becomes a member of the Project. A *Notice of Acceptance into Family Court Project* will be filed in the referring court as well as in all the courts with pending cases involving any member of the family. This will serve as notification and acceptance of the referral and alert the court it will be receiving a case management report prior to the next scheduled hearing.

The information sharing component of the Project will primarily be accomplished by the use of Case Management Reports that will be drafted by the Family Court Coordinator based on information obtained during the in-take interview with the family and additional research. These reports will be distributed to the courts involved with the family at least three days prior to the scheduled hearing. The reports will reflect what services the Project deemed where appropriate for the family and the referrals that were made.

ADR

The second component of the Family Court Project is to refer families in the Project for mediation, counseling, or parenting coordination if their issues are ones that are suitable for resolution outside the courtroom. Using alternative dispute resolution methods will enable the family to have their problems resolved more quickly while at the same time allowing them the opportunity to play a part in the decision-making process.

The Project will also be tasked with administering the county's ADR Plan, which is currently being developed. The Plan is aimed towards helping lower income and indigent litigants with contested issues in dissolution of marriage, legal separation, and paternity

cases. Everyone with contested issues in one of those types of cases is eligible to participate, but the funds generated by the Plan will go first to litigants who are unable to pay. Indigent or lower-income litigants may participate in the program at no cost. Other litigants will be required to pay either the full amount or a co-payment based on their ability to pay in accordance with a sliding fee scale. The types of ADR that will be used under the Plan are mediation and parental counseling, which includes parenting coordination. The Plan will employ registered domestic relations mediators in the county to serve as mediators under the Plan with a fixed hourly rate.

Pro Se Legal Clinic

The third component of the Family Court Project is to develop a form of pro se programming for litigants in domestic relations cases. The first two components are the primary focus in the beginning while the pro se programming will come later. The concept for the pro se programming is to provide a resource area for pro se litigants where they have access to online resources and can obtain printed forms for their domestic relations cases. Additionally, the pro se clinic will refer litigants to pro bono providers through District 6 Access to Justice and the Madison County Bar Association.